

# **HEARING PROCEDURE (PREMISES LICENCES) REVIEW APPLICATION (SECTION 51 STANDARD)**

NOTE: Grounds for review may require prior determination by Licensing Sub-Committee (if may be considered irrelevant, frivolous, vexatious or repetitious) and review application may be rejected at any time for any of these reasons.

1. The Licensing Officer will present a report to the Sub-Committee outlining details of the review application and reasons for the hearing.
2. The Licensing Officer may then be questioned on his report by the Applicant for Review, Licence-holder (and his/her advocate if applicable), any other persons making relevant representations and Members of the Sub-Committee.
3. The Applicant for Review will then present their case, detailing the grounds for review. The Applicant may amplify the grounds stated within the application.
4. The Applicant for Review calls any witnesses (if applicable).
5. The Applicant for Review and his witnesses (if applicable) may then be questioned on their submissions by the Licence-holder and/or his advocate, any other person making relevant representations, Licensing Officer and Members of the Sub-Committee.
6. REPEAT STEPS 3-5 FOR ANY OTHER PARTY JOINING THE REVIEW
7. The Licence-holder and/or his advocate make an opening address to the Sub-Committee.
8. The Licence-holder and/or his advocate call any witnesses.
9. The Licence-holder and/or his advocate, and his witnesses if applicable, may then be questioned on their submissions by the Applicant for Review, any other person making relevant representations, Licensing Officer and Members of the Sub-Committee.
10. The Licence-holder and/or his advocate may then question his witness to clarify any points.
11. The Chairman may then allow additional questioning/ clarification of any of the parties in the order indicated by him.
12. The Applicant for Review gives any closing address to the Sub-Committee.
13. The Licensing Officer may give any closing comments to the Sub-Committee.
14. The Licence-holder and/or his advocate give a closing address to the Sub-Committee.
15. The Sub-Committee retires to deliberate in private session. All parties will then be called back into the meeting for the announcement of the decision and reasons for the decision will be given by the Chairman or Legal Advisor to the Sub-Committee (in some cases the Sub-Committee may decide to defer making a decision in accordance with any regulatory timeframe). The full written notification of the decision and rights of appeal will follow forthwith.

## **NOTES:**

- (a) The hearing will take the form of an informal discussion led by the Licensing Authority.
- (b) The Sub-Committee Chairman and, with his consent, any Member of the Sub-Committee may at any time question the Applicant, Licence-Holder, Responsible Authorities, Other Persons, Licensing Officer or any witnesses. The Sub-Committee Chairman may deviate from this procedure as he considers necessary or appropriate, to allow a discussion to flow and to allow all parties fair and equal opportunity to raise all points they may wish to make.
- (c) At all times during proceedings due regard shall be had to The Licensing Act 2003 (Hearings) Regulations 2005.
- (d) 'Applicant for Review' means the person(s) who made the original application to review the licence. This must be a 'Responsible Authority' (i.e. Police or EHO) or an 'Other Person' (local resident or business, or representative thereof).